
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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|-----------------------------|---|------------------------|
| In the Matter of |) | |
| |) | |
| Alsea River Cable TV |) | File No. EB-11-PO-0105 |
| |) | |
| Physical System ID # 000986 |) | |
| Community ID # OR0221 |) | |
| |) | |
| Waldport, Oregon |) | NOV No. V201132920030 |

NOTICE OF VIOLATION

Released: August 31, 2011

By the Resident Agent, Portland Resident Agent Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to the Alsea River Cable TV ("Alsea"), operator of a cable system in Waldport, Oregon.

2. On August 19, 2011, an agent of the Enforcement Bureau's Portland Resident Agent Office inspected the Alsea's cable system located in Waldport, Oregon, and observed the following violation:

- a. 47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in § 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz – 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, the agent observed signal leakage in excess of 20 micro-volts per meter on the frequency 121.2500 MHz at the following locations:

1) Underground drop box near the entrance of the Sa Da Munn Apartments, 485 SW Willow, Waldport, Oregon : 105 µV/m

2) Utility pole # L19F5, near "A Cut Above" store, between Hwy 101 and W. Willow, Waldport, Oregon: 98 µV/m

¹ 47 C.F.R. § 1.89.

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3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Alsea, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the Alsea. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Portland Resident Agent Office
POB 61469
Vancouver, WA 98666-1469

4. This Notice shall be sent to Alsea River Cable TV at its address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen
Resident Agent
Portland Resident Agent Office
Western Region
Enforcement Bureau

² 47 U.S.C. § 403.

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*